

No. 03-2391

Garnishee.

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[UNPUBLISHED]

PER CURIAM.

Pursuant to the Federal Debt Collection Procedures Act (FDCPA), 28 U.S.C. § 3205(b)(1), the government applied for and the district court<sup>1</sup> issued a writ of garnishment to collect a criminal fine owed by Tanya Marie Smith. Smith objected to the writ and moved for a hearing, arguing that the fine was invalid and illegal in that it exceeded the maximum authorized by law at the time the fine was imposed. The court denied her request for a hearing and her objection. Smith appeals, arguing the district court erred in denying her objection because she was entitled to explain why she did not owe the debt.

The district court did not err in denying Smith's request for a hearing. In her objection, she did not dispute that the fine had been imposed and not paid; rather, she sought to challenge the validity of the fine imposed, which she may not do in a FDCPA hearing. See 28 U.S.C. § 3202(d) (issues at FDCPA hearing limited to determining validity of any claim of exemption, government's compliance with statutory requirements, and validity of default judgments).

Accordingly, we affirm.

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<sup>1</sup>The Honorable Paul A. Magnuson, United States District Judge for the District of Minnesota.